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WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/758,026	01/10/2001	John Clarke III	17163/04093

CONFIRMATION NO. 8117

24024

CALFEE HALTER & GRISWOLD, LLP  
800 SUPERIOR AVENUE  
SUITE 1400  
CLEVELAND, OH 44114

FORMALITIES LETTER



\*OC000000006184162\*

Date Mailed: 06/14/2001

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on 04/26/2001 to the Notice to File Missing Parts (Notice) mailed 02/21/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Ronald Eureka*

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

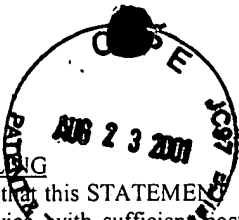
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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CERTIFICATE OF MAILING

I hereby certify that this STATEMENT is being deposited with the U.S. Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on this \_\_\_\_ day of \_\_\_\_.

Typed or Printed name of person signing this certificate:

Signed: \_\_\_\_\_

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Clarke et al.

Serial No.: 09/758,026

Filed: January 10, 2001

For: **SEAMLESS PRESSURE VESSEL**

) Examiner: Not yet assigned  
)  
)

) Art Unit:  
)  
)

) Attorney's Docket No.: 17163/04093  
)  
)

Assistant Commissioner of Patents  
Washington, D.C. 20231

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**STATEMENT OF FACTS IN SUPPORT OF FILING  
ON BEHALF OF NONSIGNING INVENTOR (37 CFR § 1.47)**

Dear Sir:

This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the non-signing inventor for the above-referenced patent application prior to the expiration of the period in which the declaration could be filed.

This statement is being made by the available person having first-hand knowledge of the facts recited therein.

I, Larry W. Conner II, attorney for Tempo Products Co., Inc., the employer of Applicant John Clarke and former employer of Applicant Ronald Eureka, hereby declare that:

1. Prior to the preparation of this patent application, Applicant John Clarke informed me that Ronald Eureka's employment at Tempo Products Co., Inc. ("Tempo") had been terminated. Mr. Clarke further indicated that, beyond a last known address, he did not know how or where to contact Mr. Eureka.

2. I obtained a telephone number for Ronald Eureka at 660 Bartlett Road, Aurora, OH 44202 through an Internet telephone directory. Mr. Eureka's telephone number is (330) 562-8875.

3. I called Mr. Eureka on July, 21, 2001. Mr. Eureka confirmed that he no longer worked for Tempo. I described the invention to Mr. Eureka, and he indicated that he was a co-inventor of it. I told him that I would provide him with a copy of the application and declaration for his signature. He indicated that he would review the application and sign the declaration.

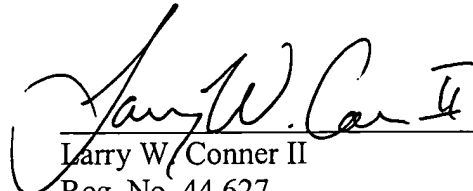
4. I delivered a copy of the application and the declaration to Mr. Eureka's home on Bartlett Road on July 22, 2001. Prior to doing so, I called Mr. Eureka to inform him that the application and declaration would be delivered that day, and that I would place the documents in his mailbox. A copy of the cover letter that accompanied the application and declaration is attached hereto is Attachment 1. I additionally provided Mr. Eureka with a self-addressed postage pre-paid envelope in which the signed declaration could be returned to me. Mr. Eureka was also provided with a facsimile number to fax a copy of the signed declaration to my attention.

5. On July 22, 2001, after delivering the application and declaration, I placed another call to Mr. Eureka to ask him if he reviewed the documents. He indicated that he had, and he confirmed that he was co-inventor of the invention claimed therein. He also stated that he did not want to sign the declaration. I informed him that if he refused to sign, I would notify the United States Patent and Trademark Office of his refusal to sign the declaration in order to continue the prosecution of the application. He had no objection.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

8/21/01  
Date

  
\_\_\_\_\_  
Larry W. Conner II  
Reg. No. 44,627  
800 Superior Avenue, Suite 1400  
Cleveland, OH 44114-2688  
(216) 622-8611

Attorney for Tempo Products Company

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ATTACHMENT 1



**CALFEE, HALTER & GRISWOLD LLP**

ATTORNEYS AT LAW  
Cleveland

Direct Dial No. 216/622-8611  
email: LConner@calfee.com

July 22, 2001

**VIA HAND DELIVERY**

Mr. Ronald Eureka  
660 Bartlett Road  
Aurora, OH 44202

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**AUG 27 2001**

**OFFICE OF PETITIONS**

Re: Patent Application  
For: Tempo Products  
Our Ref. No.: 17163/04093

Dear Mr. Eureka:

Pursuant to our telephone conversation of Saturday, July 21, 2001, attached is a patent application for a seamless gas tank with mechanically fastened components for which you are named as a co-inventor. Please review the application and sign enclosed the Declaration. Please fax the Declaration to my attention at (216) 241-0816.

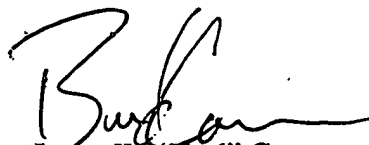
You will notice that there are actually two Declarations enclosed with this letter — when we originally filed this document, your street address was listed correctly, but the city and zip code were listed for Mantua. I have since corrected the problem. Nonetheless, I have enclosed a copy of both the original version and the corrected version. Please sign and fax both of them.

Also enclosed is an envelope addressed to me in which you can return the signed documents. Please feel free to make photocopies for your records.

**CALFEE, HALTER & GRISWOLD LLP**

Thank you very much for your prompt and courteous attention to this matter. I appreciate it greatly. If you have any questions or concerns about this process or the patent application, please feel free to call me at the number listed above, or on my cell phone at (216)224-4334.

Very truly yours,



Larry W. "Bud" Conner

Encls.

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